

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA ARREOLA
 Assistant United States Attorney
 One St. Andrew's Plaza -- 3rd Floor
 New York, New York 10007
 Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,           :
                                     :
        Plaintiff,                   :   NOTICE OF MOTION FOR
                                     :   DEFAULT JUDGMENT
        - v -                         :
                                     :   07 Civ. 2802 (LMM)
$25,475.00 IN UNITED STATES         :
CURRENCY,                           :
                                     :
        Defendant-in-rem.            :
-----x
    
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PLEASE TAKE NOTICE that upon the declaration of Anna E. Arreola, Assistant United States Attorney, dated May 30, 2008; upon the Clerk's Certification of default (attached hereto as Exhibit A); upon the accompanying proposed Default Judgment (attached hereto as Exhibit B); and upon all prior proceedings herein; plaintiff will move this Court before the Honorable Lawrence M. McKenna, United States District Judge, United States Courthouse, Courtroom 15D, 500 Pearl Street, New York, New York 10007, on submission, on June 30, 2008 or at a date and time to determined by the Court, for an order pursuant to Rule 55(b)(2) of the Federal rules of Civil Procedure granting default judgment on favor of the plaintiff, United States of America, and forfeiting the defendant-in-rem to the United States of America

and for such other relief as is just and proper.

Dated: New York, New York
May 30, 2008

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff
United States of America

By: /s/
ANNA E. ARREOLA
Assistant U.S. Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2218

AFFIDAVIT OF SERVICE

I, Corinne L. Scalogna, affirm, under penalty of perjury pursuant to 28 U.S.C. § 1746, the following:

I am employed with FSA in the office of Michael J. Garcia, United States Attorney for the Southern District of New York.

On May 30, 2008, a copy of the Notice of Motion for Default Judgment, the Clerk's Certification, the Government's proposed Default Judgment and the Government's Declaration in Support of Default Judgment were sent, by certified mail, return receipt requested, to:

Daniel T. Mentzer, Esq.
Mentzer & Higgins, LLP.
901 Sheridan Avenue
Bronx, new York 10451

Ronald Leon
[REDACTED]
Bronx, new York 10460

Patricia Murray
[REDACTED]
Bronx, new York 10460

Executed on: May 30, 2008
New York, New York

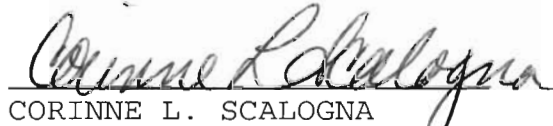

CORINNE L. SCALOGNA

Exhibit A

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: ANNA ARREOLA
Assistant United States Attorney
One St. Andrew's Plaza -- 3rd Floor
New York, New York 10007
Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

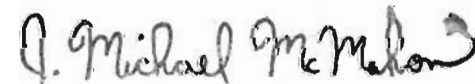
-----X
UNITED STATES OF AMERICA, :

Plaintiff, :

- v - : CLERK'S CERTIFICATION
: 07 Civ. 2802 (LMM)
\$25,475.00 IN UNITED STATES :
CURRENCY, :
:
Defendant-in-rem.
-----X

I, Michael McMahon, Clerk of the United States District Court for the Southern District of New York, hereby certify that the docket entries in the above-captioned case indicate that the verified complaint herein was filed on April 6, 2007, and that proof of publication was filed in the Clerk's office on September 6, 2007. No party has filed a claim or answer or otherwise moved with respect to the defendant-in-rem, and the time to file a claim with respect to the said property has expired. The default of all persons is hereby noted.

Dated: New York, New York
May 30, 2008



Michael McMahon
CLERK OF THE COURT

Exhibit B

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA ARREOLA (AA - 6193)
 Assistant United States Attorney
 One St. Andrew's Plaza -- 3rd Floor
 New York, New York 10007
 Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
 UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 - v - : DEFAULT JUDGMENT
 : 07 Civ. 2802 (LMM)
 \$25,475.00 IN UNITED STATES :
 CURRENCY, :
 :
 Defendant-in-rem. :
 -----x

WHEREAS, on April 6, 2007, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem (the "Defendant Currency") by the filing of a verified complaint;

WHEREAS, on or about April 6, 2007, notice of the verified complaint was sent by regular mail to Ronald Leon ("Leon") at [REDACTED], Bronx, New York 10460; to Patricia Murray ("Murray") at the same address; and, by certified mail, to their attorney, Daniel T. Mentzer, Esq., Mentzer & Higgins, LLP., at 901 Sheridan Avenue, Bronx, New York 10451;

WHEREAS, the foregoing are the only persons known by

the Government to have a potential interest in the Defendant Currency;

WHEREAS, notice of the verified complaint and in rem warrant against the Defendant Currency was published in the New York Law Journal on May 21, 2007, and proof of such publication was filed with the Clerk of this Court on September 6, 2007;

WHEREAS, notice of nonjudicial forfeiture of the same property was also published in the Wall Street Journal on November 13, 2006, November 20, 2006, and November 27, 2006;

WHEREAS, no claims or answers have been filed or made in this judicial forfeiture action, and the requisite time periods in which to do so, as set forth in 18 U.S.C. § 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Michel J. Garcia, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Anna E. Arreola, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Defendant Currency.
2. The Defendant Currency be, and the same hereby is, forfeited to the plaintiff United States of America.

3. The United States Marshals service shall dispose of the Defendant Currency according to law.

Dated: New York, New York
June ___, 2008

SO ORDERED:

HONORABLE LAWRENCE M. MCKENNA
UNITED STATES DISTRICT JUDGE